

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James A. Fleming,) CIVIL ACTION NO. 9:13-3377-DCN-BM
)
Plaintiff,)
)
v.)
)
Medical Nurse, William Brown,)
L. Williams, E. Tyler, Bernard McKie,)
and Robert Ward,)
)
Defendants.)
)

ORDER

This is a pro se civil rights case filed by the Plaintiff on December 4, 2014, pursuant to 42 U.S.C. 1983. Defendants filed an Answer on April 9, 2014, along with a motion to dismiss only Defendant Medical Nurse. Pursuant to local Rule 26.04, D.S.C., pretrial discovery was to have been completed within ninety (90) days following the joinder of issues. This period has now expired.

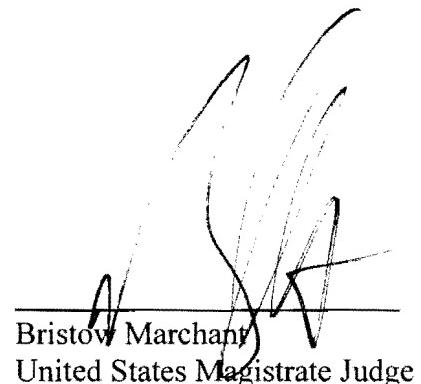
Since the discovery deadlines in this case have passed and there are no pending motions, unless a dispositive motion is filed this case is ready for trial. The parties shall have twenty (20) days from the entry date of this Order to file dispositive motions. In the event neither party files a dispositive motion, the file will be forwarded to a United States District Judge for trial.

In the event the parties wish to consent to have this case tried by a United States

[Handwritten signature]

Magistrate Judge, a consent form is attached to this order.

IT IS SO ORDERED.



Bristow Marchant
United States Magistrate Judge

July 14, 2014
Charleston, South Carolina

UNITED STATES DISTRICT COURT

District of South Carolina

James A. Fleming,

Plaintiff,

v.

Medical Nurse, et al.,

Defendants.

NOTICE, CONSENT, AND ORDER OF
REFERENCE —
EXERCISE OF JURISDICTION BY A
UNITED STATES
MAGISTRATE JUDGE

Case Number: 9:13-3377-DCN-BM

**NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION**

In accordance with the provisions of 28 U.S.C. 636(c), and Fed. R. Civ. P. 73, you are hereby notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withdraws consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

**CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES
MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, the parties in this case consent to have a United States magistrate judge conduct any and all further proceedings in this case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Party Represented

Signatures

Date

ORDER OF REFERENCE

IT IS ORDERED that this case be referred to The Honorable _____, United States Magistrate Judge, to conduct all proceedings and order the entry of judgment in accordance with 28 U.S.C. § 636(c), Fed. R. Civ. P. 73.

Date

United States District Judge

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.